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Attorney Docket No. 1240-08-1 (formerly 1207.0008)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE S

In re Application of:

RICHARD A. SCHATZ

Serial No.: 07/657,296

Filed: February 19, 1991

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

For: EXPANDABLE INTRALUMINAL

GRAFT

Group Art Unit: 338

Examiner: Paul Prebilic

APPLICANT'S INTERVIEW SUMMARY RECORD

thosely certify that this correspondence is bein deposition with the United States Postel Service a first class mail in an enviouse audiossed to: Commis sioner or Patents and Traglemarks, Washington, D.C.

20231, on

Name of Molicari) assigner Registered Replesentario

Date of Signature

Dear Sir:

In response to the EXAMINER INTERVIEW SUMMARY RECORD of June 17, 1992, Applicant files this APPLICANT'S INTERVIEW SUMMARY RECORD. This summary record is an addition to the reference to the telephone interview on page 2 of Applicant's Amendment of June 15, 1992.

On June 15, 1992, Applicant's attorney, by telephone, discussed with Examiner Prebilic the outstanding rejections of claims 1-6, wherein U.S. Patent No. 5,102,417, Application Serial No. 07/174,246 was discussed. The specific rejection discussed was the provisional rejection of claims 1-6 under 35 U.S.C. \$103 as being obvious over co-pending Application Serial No. 07/174,246, and particular that portion of the rejection of January 15, 1992, appearing as the last paragraph on page 2 of the January 15, 1992 Office Action. Applicant's counsel suggested that this application be considered a continuation-in-part application of the '417 patent.

Examiner Prebilic indicated he needed to confer with other Examiners, and the first telephone conference was

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Prebilic called back, discontinued. Examiner conferring with other Examiners, and indicated that he could not agree that the above-captioned application could be a continuation-in-part application.

Respectfully submitted,

Ben D. Tobor Reg. No. 27,760

MCGLINCHEY, STAFFORD, CELLINI & LANG, P.C.

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Date:

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